

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LAWRENCE SCHLIPP,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. C13-1100-TSZ-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 1. The parties have stipulated that this case should be reversed and remanded for a *de novo* hearing and further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 14.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. On remand, the Administrative Law Judge (“ALJ”) shall: (1) reassess plaintiff’s residual functional capacity for the period beginning August 17, 2011, and in doing so, reevaluate the opinion evidence, including the physical capacities evaluation completed by Christina Casady, OTR/L, M.Ed. (Exhibits 20F, 25F), and the opinion of Cheryl A. Hayes, D.O. (Exhibits 22F, 24F); (2) address

1 whether plaintiff uses a medically prescribed cane (Social Security Ruling 96-9p); and (3) obtain
2 vocational expert evidence regarding the extent any additional limitations erode the occupational
3 base at step five of the sequential evaluation process.

4 Upon proper application, plaintiff shall be eligible for reasonable attorney fees, expenses,
5 and costs pursuant to 28 U.S.C. § 2412(d).

6 A proposed order accompanies this Report and Recommendation.

7 DATED this 19th day of November, 2013.

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9 JAMES P. DONOHUE
10 United States Magistrate Judge
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